

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MARK WARREN PEARY,

Plaintiff,

v.

DC COMICS, INC.; DC COMICS; DC
ENTERTAINMENT, INC.; WARNER BROS.
DISCOVERY, INC.; and DOES 1-10,

Defendants.

Case No. 1:25-cv-00910-JMF

**DECLARATION OF PETER SAFRAN
IN SUPPORT OF OPPOSITION TO
PLAINTIFF'S MOTION FOR A
PRELIMINARY INJUNCTION**

I, Peter Safran, declare and state as follows:

1. I am the Co-CEO and Co-Chairman of DC Studios, a division of WB Studio Enterprises Inc., a wholly-owned indirect subsidiary of Warner Bros. Discovery, Inc. and part of the Warner Bros. Motion Picture Group. I submit this declaration in support of DC's Opposition to Mark Warren Peary's motion for a preliminary injunction. I have personal knowledge of the facts contained within this declaration, and, if called upon as a witness, I could and would testify competently thereto.

2. In my current role at DC Studios, I have oversight over all DC Comics-related film and television projects, including the Superman franchise. I have worked in the entertainment industry for the past 30 years, including as a producer, talent manager, and executive at talent management and production companies. I have produced 15 films distributed by Warner Bros. since 2010, which have generated a combined \$4.56 billion in worldwide box office revenue.¹ I also have a law degree from the New York University School of Law.

¹ These are *Buried* (2010), *The Conjuring* (2013), *Annabelle* (2014), *The Conjuring 2* (2016), *Wolves at the Door* (2016), *Annabelle: Creation* (2017), *The Nun* (2018), *Aquaman* (2018), *Shazam!* (2019), *Annabelle Comes Home* (2019), *The Conjuring: The Devil Made Me Do It* (2021), *The Suicide Squad* (2021), *Shazam! Fury of the Gods* (2023), *The Nun II* (2023), and *Aquaman and the Lost Kingdom* (2023).

3. In November 2022, shortly after James Gunn and I were appointed as CEOs and Chairmen of DC Studios, we began planning out a multi-year reboot of film and television projects based on DC Comics properties, which we call the DC Universe or DCU. Over two years ago, on January 31, 2023, Gunn and I announced *Superman* as the film to spearhead our reboot efforts, as well as the fact that it would be released on July 11, 2025.² This announcement received widespread media coverage, including in The New York Times, The Wall Street Journal, Los Angeles Times, and CNN, among others. *See* Declaration of Jeff Goldstein ¶¶ 3-4 & Exs. 1-2. In March 2023, it was announced that I would produce the film and Gunn would direct it. This also received significant press coverage. *See id.*

4. Pre-production on *Superman* began in April 2023. We began casting efforts in May 2023 and throughout the remainder of 2023 hired actors for key roles, including David Corenswet to portray Superman. Principal filming, which mainly took place in Georgia and Ohio, began in February 2024 and concluded at the end of July 2024. All of this was widely reported in the media, as there is significant public interest in the Superman franchise. *See id.* Gunn also frequently shared widely-seen updates about the movie to his 2.9 million Instagram and 1.7 million Twitter/X followers. *See id.* ¶ 5 & Ex. 3.

5. Never once before Mr. Peary filed his complaint in this case on January 31, 2025 had I heard any allegation from Peary, his attorney Marc Toberoff, or anyone else that Peary held any foreign copyright interests in Superman.

6. I am advised that Peary seeks to preliminarily enjoin any exploitation of the original Superman character and story, as well as any derivative work, within Canada, the U.K., Ireland, and Australia. I understand that were the preliminary injunction granted, it would prevent *Superman* from being released in July 2025 in those countries, as currently planned, and would also prevent DC Comics and its licensees from distributing any of its nearly 90 years' worth of content involving the Superman character in those countries.

² When first announced, the film was tentatively titled *Superman: Legacy*. Its title has since been shortened to *Superman*.

7. As of today, well over [REDACTED] has been invested in the new *Superman* film, across development, production, marketing, and distribution expenses, among others.

8. In order to make decisions as a filmmaking executive, I regularly receive and rely upon financial projections for motion pictures prepared by my finance colleagues in the Warner Bros. Motion Picture Group. I have regularly received such projections for *Superman*, which indicate that the company conservatively estimates that the film is expected to gross between [REDACTED] and [REDACTED] at the box office³ and generate approximately [REDACTED] in revenue to the company. It is estimated that more than [REDACTED] of this revenue – over [REDACTED] – will come from Canada, the U.K., Ireland, and Australia. A territory-by-territory breakdown of that projected revenue in chart form, prepared by the motion picture finance group is set forth below. As shown in the chart, the film is projected to gross over [REDACTED] in total revenue at the box office, of which the studio's share would be over [REDACTED]. In addition, the film is projected to generate an additional [REDACTED] in revenue from other channels of distribution, for total projected revenue to the studio of approximately [REDACTED] in the four potentially impacted territories.

SUPERMAN Analysis				
	Canada	UK/Ireland	Australia	Total
Projected Box Office	[REDACTED]			
Projected Revenue				
Film Rental (WB Share)				
Home Ent.				
Free TV				
Pay TV				
Digital				
Total Projected Revenue				

9. I believe that an injunction would destabilize Gunn's and my entire strategy for rebooting the DC Universe, which has [REDACTED] feature film and [REDACTED] television projects currently in production or development, and do lasting damage to DC's reputation with our corporate

³ The entertainment website Screen Rant has predicted *Superman* will gross \$920 million at the box office. See <https://screenrant.com/highest-grossing-movies-2025-box-office-predictions/>.

partners and the general public. It would also threaten the livelihoods of hundreds of creative professionals and crew members working on these projects.

I declare, under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct to the best of my knowledge, information, and belief.

Dated: April 7, 2025
Burbank, California


Peter Safran